

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Nobuhiro UMEDA et al.

Application No.: 10/552,015

Filed: October 11, 2005

For: DIAMINE DERIVATIVE, PRODUCTION  
PROCESS THEREFOR AND ANTIOXIDANT

Confirmation No.: 7127

Art Unit: 1625

Examiner: Taylor Victor OH

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

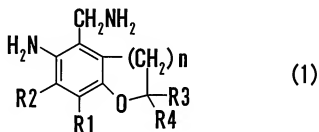
In response to the Restriction Requirement set forth in the Office Action mailed December 4, 2008 (Paper No. 20081202), Applicant hereby provisionally elects Group I, claims 1-3 for continued examination, **with traverse**.

It is believed that no additional fees are required for this Response. However, should additional fees be necessary in connection with the filing of this Response, or if a petition for extension of time is required for timely acceptance of the same, the Commissioner is hereby authorized and requested to charge Deposit Account No. 04-0100 for any such fees, and Applicant hereby petitions for any needed extension of time.

### RESTRICTION REQUIREMENT

The Examiner has required restriction between the following two Groups.

Group I: claims 1-3, drawn to the following compound of formula (1) and its preparation and an antioxidant containing compound of formula (1) as disclosed below.



Group II: claims 4-8, drawn to the method for treating cerebrovascular or cerebral infraction or circulatory disorder or retinal oxidation disorder or inhibiting lipoxigenase by using the compound of formula (1) above.

In response, Applicant elects Group I, claims 1-3, **with traverse**. Applicant respectfully traverses the Restriction Requirement for the following reason.

The Examiner finds that restriction is proper because the inventions identified with each claim group lack the same or corresponding special technical features, and therefore do not relate to a single general inventive concept. However, Applicant submits that unity of invention may nevertheless exist if one of the claim groups is directed to a product and a process specially adapted for the manufacture of the said product, and the other claim group is directed to a use of the said

product (37 CFR § 1.475(b)(3)). Applicant submits that the claims of Group I and the claims of Group II satisfy this criterion, and together exhibit unity of invention.

Therefore, Applicant respectfully requests reconsideration and withdrawal of the Restriction Requirement.

**CONCLUSION**

In view of the above remarks, withdrawal of the Restriction Requirement is respectfully requested.

An early examination is respectfully requested.

Dated: December 18, 2008

Respectfully submitted,

By 

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